

OCT 24 2002

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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10-30-02

Applicants : Thomas Thor e SCHERB et al.

Appln. No. : 09/769,464

Group Art Unit: 1731

Filed : January 26, 2001

Examiner: K. Hastings

For : MACHINE AND PROCESS FOR PRODUCING A TISSUE WEB

**COVER LETTER REGARDING SUBMISSION UNDER 37 C.F.R. 1.114**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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Sir:

OCT 28 2002

TO: [REDACTED]

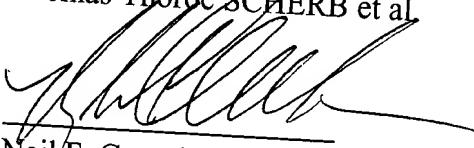
Further to the Examiner's Advisory Action of October 2, 2002, Applicants note that the instant submission does not raise any question of new matter. In particular, while the Examiner intimated that the proposed changes to the drawings may raise a question of new matter, Applicants note that the proposed changes present the drawings in the form commensurate with the disclosure in the priority document, i.e., German Patent Application No. 100 03 684.8 filed January 28, 2000, which was expressly incorporated by reference into the instant application.

Because the subject matter of the priority document was incorporated by reference, Applicants submit that presenting the drawings in the proposed form cannot be new matter. Moreover, Applicant notes that the proposed drawings are fully supported by the original disclosure in paragraph [0056], as well as the priority document through paragraph [0001].

Accordingly, Applicants request that the Examiner indicated approval of the proposed drawing change and acknowledge that no question of new matter is raised in the concurrently filed Submission Under 37 C.F.R. 1.114.

If there are any questions with regard to this matter, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
Thomas Thor   SCHERB et al

  
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October 24, 2002  
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